

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

TAMMY WATKINS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. _____
)	
POLLOCK PRINTING, INC.)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Pollock Printing, Inc. hereby removes this action to this Court pursuant to 28 U.S.C. §1331 and §1441, and in support thereof, states as follows:

1. On November 29, 2011, Defendant was served with a copy of the Complaint styled *Tammy Watkins v. Pollock Printing, Inc.*, Case No. 11-1526-II, filed in the Chancery Court of Davidson County, Tennessee, Twentieth Judicial District at Nashville. This Complaint, along with the original Summons, constitutes the initial pleadings served upon Defendant setting forth the claims upon which such action is based. True and correct copies of the foregoing Summons and Complaint are attached hereto as Exhibit A and constitute all pleadings, process and other documents served upon Defendant in this action.

2. Paragraph 18 of Plaintiff's Complaint contains an allegation that Defendant violated the Consolidated Omnibus Budget Reconciliation Act, 29 U.S.C. § 1161 *et seq.* and 42 U.S.C. § 300bb-1 *et seq.* ("COBRA") by failing to offer Plaintiff a continuation of her medical insurance coverage and, apparently, that Plaintiff was harmed as a result (Complaint ¶ 18).

These allegations, contained on the face of the complaint, state a colorable claim arising under federal law; specifically, an alleged violation of COBRA.

3. This Court, therefore, has original jurisdiction over Plaintiff's claims by virtue of federal question jurisdiction under 28 U.S.C §1331. This action is thus properly removable to federal court pursuant to 28 U.S.C. §1331 and §1441(b).

4. Defendant's Notice of Removal has been filed within thirty (30) days after initial receipt by Defendant of Plaintiff's Complaint in accordance with 28 U.S.C. §1446(b).

5. Venue is proper in this Court.

6. Pursuant to 28 U.S.C. §1446(d), Defendant has given written notice of the removal of this action to Plaintiff and has filed a copy of this Notice with the Clerk and Master of the Chancery Court of Davidson County, Tennessee. (Exhibit B).

WHEREFORE, Defendant removes this action to the United States District Court for the Middle District of Tennessee.

Respectfully submitted,

s/ O. John Norris, III
O. John Norris, III (TN Bar #017504)
JACKSON LEWIS LLP
999 Shady Grove Road, Suite 110
Memphis, TN 38120
Telephone: (901) 462-2600
Facsimile: (901) 462-2626
Email: norrisj@jacksonlewis.com

**ATTORNEY FOR DEFENDANT
POLLOCK PRINTING, INC.**

CERTIFICATE OF SERVICE

I, O. John Norris, III, hereby certify that on December 28, 2011, I sent the foregoing ***Notice of Removal*** via Federal Express to the Clerk of Court for filing, and I also certify that I sent via U.S. Mail, postage prepared, a true and correct copy of this document to:

Anne C. Martin (#15536)
Bone McAllester Norton, PLLC
511 Union Street, Suite 1600
Nashville, TN 37219
(615) 238-6300

Attorney for Plaintiff

s/ O. John Norris, III
O. John Norris, III (TN Bar No. 017504)
Counsel for Defendant